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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,074	04/30/2001	Edward O. Clapper	INTL-0567-US (P11338)	4543
7590	03/28/2005		EXAMINER	
Timothy N. Trop TROP, PRUNER & HU, P.C. Ste. 100 8554 Katy Freeway Houston, TX 77024			DHARIA, PRABODH M	
			ART UNIT	PAPER NUMBER
			2673	
DATE MAILED: 03/28/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/846,074	CLAPPER, EDWARD O.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Prabodh M Dharia	2673	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
 THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 03 March 2005.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1,3-14,17,18,20-22,26,27 and 29-36 is/are pending in the application.
- 4a) Of the above claim(s) 2,15,16,19,23-25 and 28 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,3-6,8-11,13,14,17,18,21,22,26,27 and 29-36 is/are rejected.
- 7) Claim(s) 7,12 and 20 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 30 April 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date: _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>07-06-04</u> .	6) <input type="checkbox"/> Other: _____

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1. **Status:** Receipt is acknowledged of papers submitted on 03-03-2005 under amendments have been placed of record in the file. Claims 1,3-14,17,18,20-22,26,27 and 29-36 are pending in this action and 2,15,16,19,23-25 and 28 are cancelled.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1,3-6,8-11,13,14,17,18,21,22,26,27 and 29-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goodman et al. (6,100,875) in view of Franz et al. (6,107,996); Liebenow et al. (2003/0107557 A1) and Duffield et al. (4,959,720).

Regarding Claim 1, Goodman et al. teaches an apparatus (Col. 2, Lines 9,10) comprising: a keyboard (Col. 3, Line 35); and a controller to detect when a processor based system enters a text entry mode (Col. 5, Lines 35-38) and to adjust a cursor of a pointing device in response to detecting the key activation (Col. 2, Lines 9-11, Col. 3, Lines 45-56).

However, Goodman et al. fails to teach or recite specifically the adjustment of said cursor to minimize inadvertent interruption of user input.

However, Franz et al. teaches the adjustment of said cursor to minimize inadvertent interruption of user input (Col. 13, Line 62 to Col. 14, Line 4).

Thus it is obvious to one in the ordinary skill in the art at the time of invention was made to incorporate teaching of Franz et al. in Goodman et al. teaching for having a user friendly integrated keyboard with pointing device and reduce the restriction in operation as well as duplication of the hardware.

Goodman et al. teaches an apparatus (Col. 2, Lines 9,10) comprising: a keyboard (Col. 3, Line 35); and a controller to detect when a processor based system enters a text entry mode (Col. 5, Lines 35-38) and to adjust a cursor of a pointing device in response to detecting the key activation (Col. 2, Lines 9-11, Col. 3, Lines 45-56).

However, Goodman et al. fails to teach or recite specifically a processor based system enters a text entry mode and in response to detection of the entry into the text entry mode changing the mode of operation of a cursor to avoid inadvertent interruption of text entry.

However, Liebenow et al. teaches a processor based system enters a text entry mode and in response to detection of the entry into the text entry mode changing the mode of operation of a cursor to avoid inadvertent interruption of text entry (page 1, paragraph 10, page 2, paragraph 21, page 3, paragraph 28,29) and moving a cursor to a pre-selected area on a display device (page 2, paragraph 21).

Thus it is obvious to one in the ordinary skill in the art at the time of invention was made to incorporate teaching of Liebenow et al. in Goodman et al. teaching for having a user friendly integrated keyboard with pointing device and reduce the restriction in operation as well as duplication of the hardware.

Goodman et al. teaches an apparatus (Col. 2, Lines 9,10) comprising: a keyboard (Col. 3, Line 35); and a controller to detect when a processor based system enters a text entry mode (Col.

5, Lines 35-38) and to adjust a cursor of a pointing device in response to detecting the key activation (Col. 2, Lines 9-11, Col. 3, Lines 45-56).

However, Goodman et al. fails to teach or recite specifically moving a cursor to a pre-selected area on a display device.

However, Duffield et al. teaches moving a cursor to a pre-selected area on a display device (Col. 4, Lines 34-42, Col. 4, Line 56 to Col. 5, Line 41, Label area).

Thus it is obvious to one in the ordinary skill in the art at the time of invention was made to incorporate teaching of Duffield et al. in Goodman et al. teaching for having a user friendly display system, allows user to enter a text label, and using the label allows user to tuned specific TV channels.

Regarding Claim 3, Goodman et al. teaches the keyboard comprises the pointing device (Col. 6, Lines 59-62).

Franz et al. teaches the controller prevents movement of the moved cursor while in text entry mode (Col. 13, Line 62 to Col. 14, Line 4, Col. 30, Lines 3-14).

Liebenow et al. teaches the controller prevents movement of the moved cursor while in text entry mode (page 1, paragraph 10, page 2, paragraph 21, page 3, paragraph 28,29).

Regarding Claim 4, Franz et al. teaches the controller reduces the sensitivity of the cursor while text entry mode is detected (Col. 13, Line 62 to Col. 14, Line 4).

Liebenow et al. teaches the controller reduces sensitivity of the cursor in response to detection of the entry into text entry mode (page 1, paragraph 10, page 2, paragraph 21, page 3,

paragraph 28,29).

Regarding Claim 5, Goodman et al. teaches the controller moves the cursor in response to activation of pre-selected key (Col. 4, Lines 58-64).

Regarding Claim 6, Goodman et al. teaches the controller adjusts the cursor until text entry is no longer detected (Col. 6, Lines 52-55).

Liebenow et al. teaches the controller adjusts the cursor until text entry is no longer detected (page 1, paragraph 10, page 2, paragraph 21, page 3, paragraph 28,29).

Franz et al. teaches restoring the moved cursor to a position on the display for text entry (Col. 16, Line 66 to col. 17, Line 5, Col. 22, Lines 41-48).

Regarding Claim 8, Liebenow et al. teaches the controller moves the cursor of one of a trackball device, touch pad device, and mouse device (page 1, paragraph 10, page 2, paragraph 21, page 3, paragraph 28,29).

Regarding Claim 9, Goodman et al. teaches the controller detects a selection of a designated key of a said keyboard, and in response to said selection releases the moved cursor (Col. 6, Lines 52-55, Col. 5, Lines 35-38).

Franz et al. teaches the controller detects a selection of a designated key of a said keyboard, and in response to said selection releases the moved cursor (Col. 13, Line 66 to col. 14, Line 4).

Regarding Claim 10, Goodman et al. teaches a method, comprising: and adjusting a cursor of a pointing device in response to detecting the selection of the at least one non specific key (Col.6, Lines 52-55, Col. 5, Lines 35-38, Col. 3, Lines 45-52).

Liebenow et al. teaches a method, comprising: detection of the entry of a processor based system into a text entry mode and adjusting a cursor of a pointing device in response to detecting entry into text entry mode said adjust of said cursor to reduce accidental interruption of text entry (page 1,paragraph 10, page 2, paragraphs 18,21, page 3, paragraph 28,29).

Franz et al. teaches the adjustment of said cursor to minimize inadvertent interruption of user input (Col. 13, Line 62 to Col. 14, Line 4, Col. 18, Line 57 to Col. 19, Line 9, Col. 19, Line 52 to Col. 20, Line 5).

Regarding Claim 11, Goodman et al. teaches the movingthe cursor comprises moving the cursor to a pre-selected area of a graphical user interface (Col.6, Lines 52-55, Col. 5, Lines 35-38, Col. 3, Lines 45-52, Col. 3, Line 67 to Col. 4, Line 6).

Regarding Claim 13, Franz et al. teaches the moving the cursor comprises preventing the moved cursor from being repositioned while in text entry mode (Col. 13, Line 62 to Col. 14, Line 4).

Liebenow et al. teaches the moving the cursor comprises preventing the moved cursor from being repositioned while in text entry mode (page 2, paragraph 21).

Regarding Claim 14, Goodman et al. teaches moving the cursor comprises moving the cursor based on a selection of a pre-selected key (Col. 4, Lines 58-64, Col. 3, Lines 45-51, Col.6, Lines 52-55, Col. 5, Lines 35-38, Col. 3, Lines 45-52, Col. 3, Line 67 to Col. 4, Line 6).

Franz et al. teaches moving the cursor comprises moving the cursor based on a selection of a pre-selected key (Col. 13, Line 66 to col. 14, Line 17).

Regarding Claim 17, Goodman et al. teaches an article comprising one or more machine-readable storage media containing instructions that when executed enable a processor to: detect a non specific key activation; and move a cursor of a pointing device in response to detecting the entry into text entry mode (Col. 6, Lines 23-46, Col. 3, Lines 52).

Franz et al. teaches the control of said cursor to enable user input without accidental interference from said pointing device (Col. 13, Line 62 to Col. 14, Line 4, Col. 18, Line 57 to Col. 19, Line 9, Col. 19, Line 52 to Col. 20, Line 5).

Liebenow et al. teaches a processor based system enters a text entry mode and in response to detection of the entry into the text entry mode changing the mode of operation of a cursor to avoid inadvertent interruption of text entry (page 1, paragraph 10, page 2, paragraph 21, page 3, paragraph 28,29) and moving a cursor to a pre-selected area on a display device (page 2, paragraph 21).

Duffield et al. teaches moving a cursor to a pre-selected area on a display device (Col. 4, Lines 34-42, Col. 4, Line 56 to Col. 5, Line 41, Label area).

Regarding Claim 18, Franz et al. teaches the instructions when executed enable the processor to lock the moved cursor of the pointing device at the selected position until text entry is no longer detected (Col. 13, Line 62 to Col. 14, Line 17).

Liebenow et al. teaches a processor based system enters a text entry mode and in response to detection of the entry into the text entry mode changing the mode of operation of a cursor to avoid inadvertent interruption of text entry (page 1, paragraph 10, page 2, paragraphs 18,21, page 3, paragraph 28,29).

Regarding Claim 21, Franz et al. teaches the instructions when executed enable the processor to adjust the sensitivity of the pointing device in response to detecting entry into text entry mode (Col. 10, Lines 7-24).

Liebenow et al. teaches a processor based system enters a text entry mode and in response to detection of the entry into the text entry mode changing the mode of operation of a cursor to avoid inadvertent interruption of text entry (page 1, paragraph 10, page 2, paragraph 21, page 3, paragraph 28,29).

Regarding Claim 22, Franz et al. teaches the instructions when executed enable the processor to control the cursor of the pointing device based on the key activation of one or more

pre-selected keys, the pre-selected key in close proximity to the pointing device (Col. 22, Lines 4-34).

Regarding Claim 26, Goodman et al. teaches a system comprising: a pointing device; a keyboard having one or more keys (Col. 6, Lines 59-62); and teaches an apparatus (Col. 2, Lines 9,10) comprising: an interface (Col. 5, Lines 18,19, Col. 5, Lines 26-34); and a controller to detect when a processor based system enters a text entry mode (Col. 5, Lines 35-38) and to adjust a cursor of a pointing device in response to detecting the key activation (Col. 2, Lines 9-11, Col. 3, Lines 45-56).

Franz et al. teaches the adjustment of said cursor to enable key activation without unwanted input from said pointing device (Col. 13, Line 62 to Col. 14, Line 4, Col. 18, Line 57 to Col. 19, Line 9, Col. 19, Line 52 to Col. 20, Line 5).

Liebenow et al. teaches a processor based system enters a text entry mode and in response to detection of the entry into the text entry mode changing the mode of operation of a cursor to avoid inadvertent interruption of text entry (page 1, paragraph 10, page 2, paragraph 21, page 3, paragraph 28,29) and moving a cursor to a pre-selected area on a display device (page 2, paragraph 21).

Duffield et al. teaches moving a cursor to a pre-selected area on a display device (Col. 4, Lines 34-42, Col. 4, Line 56 to Col. 5, Line 41, Label area).

Regarding Claim 27, Goodman et al. modified by Franz et al. teaches the keyboard comprises the pointing device (Col. 6, Lines 59-62).

Liebenow et al. teaches the controller adjusts the cursor of one of a trackball device, touch pad device, or mouse device (page 1, paragraph 10, page 2, paragraph 21, page 3, paragraph 28,29).

Regarding Claim 29, Franz et al. teaches the controller prevents the cursor from moving while in the text entry mode (Col. 22, Lines 29-34).

Liebenow et al. teaches a processor based system enters a text entry mode and in response to detection of the entry into the text entry mode changing the mode of operation of a cursor to avoid inadvertent interruption of text entry (page 1, paragraph 10, page 2, paragraph 21, page 3, paragraph 28,29).

Regarding Claim 30, Franz et al. teaches the controller stops adjusting the cursor of the pointing device if the entry into the text entry has stopped (Col. 23, Lines 6-10).

Liebenow et al. teaches the controller stops adjusting the cursor of the pointing device if the entry into the text entry has stopped (page 1, paragraph 10, page 2, paragraph 21, page 3, paragraph 28,29).

Regarding Claim 31, Goodman et al. teaches the controller moves the cursor in response to activation of a key that is in close proximity to a pointing device that is integral with the keyboard and apart from the keys (Col. 4, Lines 15-36).

Regarding Claim 32, Franz et al. teaches moving the cursor comprises moving the cursor to a predetermined position on a graphical toolbar (Col. 5, Lines 44-48, Col. 12, Line 53 to Col. 13, Line 2, Col. 14, lines 47-56).

Regarding Claim 33, Franz et al. teaches detecting the entry of a processor-based system includes detecting a time interval (Col. 14, Line 47 to col. 15, Line 16).

Regarding Claim 34, Franz et al. teaches restoring the moved cursor to a position on the display for text entry (Col. 16, Line 66 to col. 17, Line 5, Col. 22, Lines 41-48).

Regarding Claim 35, Franz et al. teaches preventing the cursor from moving when designated keys are actuated (Col. 13, Line 66 to col. 14, Line 4).

Regarding Claim 36, Franz et al. teaches preventing the cursor from moving includes preventing the cursor from moving when one of the shift key or control key is actuated (Col. 11, Line 59 to Col. 12, Line 24, Col. 13, Line 62 to col. 14, Line 4).

#### *Allowable Subject Matter*

4. Claims 7,12,20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is an examiner's statement of reasons for allowance:

An apparatus comprising: a keyboard to enable text entry; and a controller to detect when a processor based system enters a text entry mode and in response to detection of the entry into text entry mode, moving a cursor to pre-selected area on a display device and adjusting the cursor comprises re-sizing (re-shaping) the cursor in response to detecting the selection of the at least one key or the controller hides the cursor from view in response to detecting the key activation to avoid inadvertent interruption of text entry.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### *Response to Arguments*

6. Applicant's arguments filed 03-03-2005 fully considered but they are not persuasive.

Applicant argues the cited references does not recite or disclose that a cursor is moved to a pre-selected area on a display device in response to detection of entry into a text entry mode.

Examiner disagrees as newly cited reference of Duffield et al. teaches a cursor is moved to a pre-selected area on a display device in response to detection of entry into a text entry mode (Col. 4, Lines 34-42, Col. 4, Line 56 to Col. 5, Line 41).

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7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is informed that all of the other additional cited references either anticipate or render the claims obvious. In order to not to be repetitive and exhaustive, the examiner did draft additional rejection based on those references.

*Conclusion*

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

De Boor; Adam et al. (6,173,316) Wireless communication device with markup language based man-machine interface.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prabodh M Dharia whose telephone number is 703-605-1231. The examiner can normally be reached on M-F 8AM to 5PM.

10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 703-3054938. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

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March 23, 2005



VIJAY SHANKAR  
PRIMARY EXAMINER